

BLD-3

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 06-2440

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PATRICK LAMONT SIMS,  
Appellant

v.  
WARDEN JAMES F. SHERMAN

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On Appeal From the United States District Court  
For the Western District of Pennsylvania  
(WD/PA Civil No. 04-cv-00381E)  
District Judge: Honorable Sean J. McLaughlin

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Submitted For Possible Summary Action  
Under Third Circuit LAR 27.4 and I.O.P. 10.6  
October 5, 2006

Before: RENDELL, AMBRO and ROTH, Circuit Judges

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**JUDGMENT**

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This cause came to be heard on the record from the United States District Court for the Western District of Pennsylvania and was submitted for possible summary action under Third Circuit LAR 27.4 and I.O.P. 10.6. On consideration whereof, it is now here

ORDERED and ADJUDGED by this Court that the order of the District Court entered April 10, 2006, be and the same is hereby affirmed. All of the above in accordance with the opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron \_\_\_\_\_  
Clerk

DATED: November 28, 2006

**Certified as a true copy and issued in lieu  
of a formal mandate on March 30, 2007**

Teste: /s/ Marcia M. Waldron  
Clerk, U.S. Court of Appeals for the Third Circuit

*Marcia M. Waldron*

Marcia M. Waldron, Clerk